

DIRECT DIAL NUMBER

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October 27, 2006

Re: Williams v. Lazarus  
No. 05-Civ-05909RECEIVED  
OCT 27 2006  
HAROLD BAER  
U.S. DISTRICT JUDGE  
S D N.Y.Honorable Harold Baer, Jr.  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Chambers 2230  
New York, New York 10007

Dear Judge Baer:

This firm represents the plaintiff in the above-referenced action. This Court's scheduling order of May 25, 2006 ordered that discovery be completed by November 1, 2006. We attach a copy of this order and a current copy of the docket report for the Court's convenience. Unfortunately, discovery has been delayed due to the plaintiff's incarceration in West Virginia.

We are pleased to report to the Court that the plaintiff has recently been released, and that the parties are working together to complete discovery in an expeditious manner. The plaintiff's deposition is scheduled for November 17, 2006, and the deposition of defendants will take place shortly thereafter. Subject to the Court's approval, the parties have agreed to complete fact discovery by December 1, 2006. We do not anticipate that the discovery delay will affect the March 2007 trailing trial calendar.

We respectfully request that Your Honor "so order" this scheduling change if it meets with the Court's approval.

Respectfully,

Joshua R. Geller

Attachments

Rachel H. Boritz Esq. (by facsimile 212-557-1336)

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If what you say is so then the extension is fine with me - obviously it means there will be no motions unless fully briefed motions are in Chambers within 60 days to decide before March 1, 2007. This is certainly possible but you will have to work out the schedule.